

NATIONAL GOVERNMENT JOURNAL,

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AND REGISTER OF OFFICIAL PAPERS.

[FEBRUARY 7, 1825.]

Documents.

INDIANS.

Documents accompanying the Message of the President, of the 27th instant.
[CONCLUDED FROM FOLIO 168.]

There are now, in most of the tribes, well educated, sober, and reflecting individuals, who are afflicted at the present condition of the Indians, and despondent at their future prospects. Under the operation of existing causes, they behold the certain degradation, misery, and even the final annihilation of their race, and no doubt would gladly embrace any arrangement which would promise to elevate them in the scale of civilization, and arrest the destruction which now awaits them. It is conceived that one of the most cheap, certain, and desirable modes of effecting the object in view, would be for Congress to establish fixed principles, such as have been suggested, as the basis of the proposed arrangement; and to authorize the President to convene, at some suitable point, all of the well informed, intelligent and influential individuals of the tribes to be affected by it, in order to explain to them the views of the government, and to pledge the faith of the nation to the arrangements that might be adopted. Should such principles be established by Congress, and the President be vested with suitable authority to convene the individuals as proposed, and suitable provision be made to meet the expense, great confidence is felt, that a basis of a system might be laid, which, in a few years, would entirely effect the object in view, to the mutual benefit of the government and the Indians; and which, in its operations, would effectually arrest the calamitous course of events, to which they must be subject, without a radical change in the present system.

Should it be thought advisable to call such a convention as one of the means of effecting the object in view, an additional appropriation of \$30,000 will be required; making in the whole, \$125,000 to be appropriated. All of which is respectfully submitted.

J. C. CALHOUN.

To the President of the United States.

DEPARTMENT OF WAR,
Office of Indian Affairs, 10th January, 1825.

SIR: I have the honor herewith to submit, in compliance with your directions, a table containing a statement of the names of the Indian tribes now remaining within the limits of the different states and territories; the number of each tribe; and the quantity of land claimed by each.

There is no land assigned, as will be seen on reference to the table, to the Indians in Louisiana; yet, it is believed, the Caddoes have a claim, but to what extent is not known—so, also, have the Cherokees, (whose numbers are not known) to a tract in the north-west corner of the State of North-Carolina, which, it is believed, does not exceed 200,000 acres. In New-Jersey, Pennsylvania, and, perhaps, Maryland, a few Indians are remaining; but how many, or what quantity of land is owned by them, (if any,) there is no means of ascertaining.

There are now remaining within the limits of the different states and territories, as is shown by the table, sixty-four tribes, and remnants of tribes of Indians, whose "names" and "numbers" are given—who number, in the aggregate, 129,266 souls; and who claim 77,402,318 acres of land.

It will be seen, by adverting to the table, that the Indians residing north of the state of Illinois, east of the Mississippi, and west of the Lakes, are comprehended in the estimate of the number in Michigan Territory; although, in estimating the quantity of land held by Indians in that territory, the por-

tion, only, so held in the peninsula of Michigan, is estimated. It was found impossible, from any documents in possession of this office, to distinguish the number of Chippewas and Ottawas residing in the peninsula of Michigan, from those residing on the west side of Lake Michigan. It is, however, believed, that the whole number residing in the peninsula, does not exceed 3,500; and these, as has been stated, are principally of the Chippewa and Ottawa tribes.

It may be proper, also, to remark, that of the 6,400 Sacs and Foxes who are included in the estimate as part of the 129,266, and who occupy lands on both sides the Mississippi, not more than one-third of that number are supposed to reside on the east side; and of the 5,200 Osages, who, by the table, are assigned to Missouri and Arkansas, it is believed not more than one-third of that number reside within the state of Missouri and Territory of Arkansas. If, therefore, the number assumed for the peninsula of Michigan be correct, and two-thirds of the Sacs and Foxes, as is believed to be the fact, reside on the west of the Mississippi, and two-thirds of the Osages west of Missouri and north of Arkansas, there will remain within the limits of the different States and territories, confining the Michigan Territory to the peninsula, 97,384 Indians, possessing (if the 200,000 acres, which are believed to be claimed by the Cherokees in North-Carolina, be added) 77,602,318 acres of land.

In obtaining this information, resort has been had for the "names" and "numbers" of the Indian tribes to the reports to this office, and to other sources of information which are deemed to be the most accurate; and for the quantity of land claimed by them, to the files of this office; to the General Land Office; and to computations carefully made from the best maps, by Col. Roberdeau, of the Topographical Bureau.

The 4,000,000 of acres, assumed as the quantity claimed by the Cherokees in Arkansas, although but an estimate, is believed to be nearly correct.—The precise quantity, however, cannot be ascertained, until it is known how much they ceded on this side the Mississippi, for which, by the treaty of 1817, they are to receive an equal number of acres on the other.

I have the honor to accompany this with a note from Col. Roberdeau, in relation to the difference between his estimate of the last year, of the lands claimed in Georgia, and his recent corrected computation of them.

I have the honor to be, very respectfully, your obedient servant,
THO. L. M'KENNEY.

To the Hon. the Secretary of War.

Statement showing the names and numbers of the different tribes of Indians now remaining within the limits of the several States and Territories, and the quantity of land claimed by them respectively.

Names of the tribes.	States or Territories in which located.	Numbers of each tribe.	No. in each state or territory.	Quantity of land claimed by each tribe in Acres.
St. Johns Indians,	Maine,	900		a
Passamaquoddy,	do.	879		100
Penobscots,	do.	277		92,160
Marshpee,	Massachusetts,	320		
Herring Pond,	do.	40		
Martha's Vineyard,	do.	340		
Trøy,	do.	50		
			750	
Narragansett,	R. Island,	420		3,000
Mohegan,	Connecticut,	300		4,000
Stonington,	do.	150		300
Groton,	do.	50		c
			400	

Senecas,	New-York,	2,325		
Tuscaroras,	do.	253		
Oneidas,	do.	1,086		
Onondagas,	do.	446		246,875d
Cayugas,	do.	30		
Stockbridge,	do.	273		
Brotherton,	do.	360		
St. Regis Indians	do.	300		
			5,148	
Nottaways,	Virginia,	47		27,000
Catawbas,	South-Carolina,	450		144,000
Wyandotts,	Ohio,	542		163,840
Shawnees,	do.	800		117,615
Senecas,	do.	551		55,505
Delawares,	do.	80		5,760
Ottawas,	do.	377		50,581
			2,350	
Wyandotts, Michigan and N. W. Territories,		37		
Pottawatomies,	do.	196		
Chippewas and Ottawas—the former by far the most numerous,				7,057,920
Menomenees,	do.	18,473		
Winnebagoes,	do.	3,900		
			26,316	
Miami and Eel River Indians,	Indiana	1,073		10,104,000g
Menomenees,	Illinois	270		
Kaskaskias,	do.	36		
Saks and Foxes (both sides of the Mississippi)				5,314,560
			6,400	
			6,608	
Potawatomies & Chippewas, Indiana & Illinois		3,900i		
Creeks, Georgia and Alabama		20,000		
Cherokees, Georgia, Alabama and Tennessee		9,000		33,571,176
Choctaws, Mississippi and Alabama		21,000		
Chickasaws, Mississippi		3,625		
			53,625	
Seminoles, and other remnants of tribes, Florida Territory			5,000	4,032,640j
Billovie,	Louisiana	65		
Apolashe,	do.	45		
Pascagoula,	do.	111		
Addies,	do.	27		
Yaltasse,	do.	56		
Cosbattees,	do.	180		
Caddow,	do.	450		
Delawares,	do.	51		
Choctaws,	do.	178		
Shawnees,	do.	110		
Natchitoches,	do.	25		
Quapaws,	do.	8		
Piankeshaws,	do.	27		
			1,513m	
Delawares,	Missouri	1,800		21,120n
Kickapoo,	do.	2,200		9,600o
Shawnees,	do.	1,383		14,036p
Weas,	do.	327q		
Ihoways,	do.	1,100r		
Osages, Missouri and Arkansas Territory		5,200		3,491,840s
Piankeshaws,	do. do.	207t		
Cherokees, Arkansas Territory		6,000		4,000,000u
Quapaws,	do.	700v		
Choctaws,	do.		917	3,358,560w
RECAPITULATION.				
States or Territories.	Whole number of Indians.		Whole quantity of land claimed.	
Maine,	956		92,260	
Massachusetts,	750			
Rhode-Island,	420		3,000	
Connecticut,	400		4,500	
New-York,	5,148		246,875	
Virginia,	47		27,000	
South-Carolina,	450		144,000	
Ohio,	2,350		409,501	
Michigan,	28,316		7,057,920	x

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Indiana,	11,579	y	10,104,000
Illinois,			5,314,500
Georgia,			10,240,000
Alabama,	53,625	=	7,272,576
Tennessee,			1,055,680
Mississippi,			15,705,000
Florida Territory,	5,000		4,032,640
Louisiana,	1,313		
Missouri,	18,917	aa	2,732,726
Arkansas,			13,812,480
			129,266

a No information as to their lands.

b All the Indians in this state, reside on their respective reservations, at the places by which they are designated. The quantity of land occupied by them is not known; nor is there any information in this office by which it can be ascertained.

c No information as to their lands.

d These Indians own and possess, together, sixteen reservations of land, containing, in the whole, according to the report of the Agent, on file in this office, about the number of acres stated.

e The quantity of land claimed by these tribes is contained in several reservations secured to them respectively, by treaty. Besides these, there are a number of other reservations secured separately to individual Indians, containing, together, 16,200 acres, making the whole quantity claimed in this state 409,501 acres, according to information obtained from the General Land Office.

f These tribes reside in some degree promiscuously and in both Territories, consequently the particular number in either cannot be stated. The quantity of land mentioned is that claimed by the Indians in the Michigan Territory only; but in what proportion by the respective tribes, cannot be ascertained.

g A part of these lands is claimed by the Pottawatomies and Chippewas (who reside partly in this state and in Illinois), but in what proportion there are no means of ascertaining.

h This is the whole quantity of land claimed by Indians in this state, including the Pottawatomies and Chippewas; but there are no means of distinguishing the quantity owned by each tribe. The number of Sauks and Foxes embraces those on both sides of the Mississippi—there being no means of ascertaining the particular number of them in Illinois.

i Claim lands in both states—quantity claimed by them separately from other tribes not known.

k The quantity of land here stated is the whole quantity claimed by all these tribes within the states mentioned; of which

The Creeks claim in Georgia,	4,245,760
The Cherokees do.	5,292,160
	9,537,920
The Creeks and Cherokees claim in Alabama,	5,995,200
The Choctaws claim in Alabama,	781,440
The Chickasaws do.	495,536
	7,272,576
The Cherokees claim in Tennessee,	1,055,680
The Choctaws and Chickasaws claim in Mississippi	15,705,000

l Quantity of land computed from the survey made by Col. Gadsden.

m These Indians are all hunters, and reside principally on Red River in this state. There is no information as to the lands claimed by them. Their numbers are taken from the report of the agent, on file in this office.

n Hold the lands they occupy under the treaty with them of 3d Oct. 1818.

o Hold their lands under treaties of 30th July, and 30th Aug. 1819.

p These Indians emigrated a few years ago from east of the Mississippi to their present residence in this state.

q Under the treaties of 1818 and 1820, the Weas sold out all their claim to lands in Indiana, Ohio, and Illinois, and emigrated to this state. There is no information as to the lands now owned or occupied by them.

r No information as to the lands claimed by these Indians.

s The Osages reside partly in Missouri and in Arkansas, the greater part beyond the limits of both. Of the lands claimed by them, 2,737,920 acres are in the former, and 753,920 acres in the latter.

t No information as to their lands.

u The Cherokees claim about this quantity of land in this territory, under treaties of 1817 and 1819; the precise quantity not yet ascertained.

v These Indians have recently sold out all their claim, and are about to remove beyond the limits of the territory.

w Very few or none of this tribe reside in the territory; but they claim in it the quantity of land stated, under the treaty of 18th Oct. 1820.

x The number of Indians, embracing those in the N. W. Territory as well as in Michigan—the information being such as not to admit of a separate enumeration.

y Some of the Indians claiming lands in these states, reside partly in both; the particular number in either cannot, therefore, be stated.

z The Indians claiming lands in these states, do not all reside in any one of them, except the Chickasaws; and it cannot, therefore, be stated what is the actual number residing in each state.

aa The Osages and Piankeshaws are scattered in Missouri and Arkansas; the greater part of the former reside beyond the limits of both; it cannot, therefore, be stated what is the particular number of Indians in either.

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MESSAGE.

Message from the President of the United States, transmitting preceding documents in relation to the various Tribes of Indians within the United States, and recommending a plan for their future Location and Government

TO THE SENATE OF THE UNITED STATES:

Being deeply impressed with the opinion, that the removal of the Indian tribes from the lands which they now occupy within the limits of the several states and territories, to the country lying westward and northward thereof, within our acknowledged boundaries, is of very high importance to our Union, and may be accomplished, on conditions, and in a manner, to promote the interest and happiness of those tribes, the attention of the Government has been long drawn, with great solicitude, to the object. For the removal of the tribes within the limits of the state of Georgia, the motive has been peculiarly strong, arising from the compact with that state, whereby the United States are bound to extinguish the Indian title to the lands within it, whenever it may be done peaceably and on reasonable conditions. In the fulfilment of this compact, I have thought that the United States should act with a generous spirit, that they should omit nothing which should comport with a liberal construction of the instrument, and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject, I am satisfied, that, in the discharge of these important duties, in regard to both the parties alluded to, the United States will have to encounter no conflicting interests with either: on the contrary, that the removal of the tribes, from the territory which they now inhabit, to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated, that, in their present state, it is impossible to incorporate them, in such masses, in any form what ever, into our system. It has also demonstrated, with equal certainty, that, without a timely anticipation of, and provision against, the dangers to which they are exposed, under causes which it will be difficult, if not impossible, to control, their degradation and extermination will be inevitable.

The great object to be accomplished is, the removal of those tribes to the territory designated, on conditions which shall be satisfactory to themselves, and honourable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land, to which it may consent to remove, and by providing for it there, a system of internal government, which shall protect their property from invasion, and by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state.

I transmit, herewith, a report from the Secretary of War, which presents the best estimate which can be formed from the documents in that Department, of the number of Indians within our states and territories, and of the amount of lands held by the several tribes within each; of the state of the country lying northward and westward thereof, within our acknowledged boundaries; of the parts to which the Indian title has already been extinguished, and of the conditions on which other parts, in an amount which may be adequate to the object contemplated may be obtained. By this report, it appears, that the Indian title has already been extinguished to extensive tracts in that quar-

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ter, and that other portions may be acquired to the extent desired, on very moderate conditions. Satisfied, I also am, that the removal proposed is not only practicable, but that the advantages attending it to the Indians, may be made so apparent to them, that all the tribes, even those most opposed, may be induced to accede to it, at no very distant day.

The digest of such a government, with the consent of the Indians, which should be endowed with sufficient power to meet all the objects contemplated, to connect the several tribes together in a bond of amity, and preserve order in each; to prevent intrusions on their property; to teach them, by regular instructions, the arts of civilized life, and make them a civilized people, is an object of very high importance. It is the powerful consideration, which we have to offer to these tribes as an inducement to relinquish the lands on which they now reside, and to remove to those which are designated. It is not doubted, that this arrangement will present considerations of sufficient force to surmount all their prejudices in favour of the soil of their nativity, however strong they may be. Their elders have sufficient intelligence to discern the certain progress of events, in the present train, and sufficient virtue, by yielding to momentary sacrifices, to protect their families and posterity from inevitable destruction. They will also perceive that they may thus attain an elevation, to which, as communities, they could not otherwise aspire.

To the United States, the proposed arrangement offers many important advantages in addition to those which have been already enumerated. By the establishment of such a government over these tribes, with their consent, we become, in reality, their benefactors. The relation of conflicting interests, which has heretofore existed between them and our frontier settlements will cease. There will be no more wars between them and the United States. Adopting such a government, their movement will be in harmony with us, and its good effect be felt throughout the whole extent of our territory, to the Pacific. It may fairly be presumed, that, through the agency of such a government, the condition of all the tribes inhabiting that vast region, may be essentially improved; that permanent peace may be preserved with them, and our commerce be much extended.

With a view to this important object, I recommend it to Congress to adopt, by solemn declaration, certain fundamental principles, in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which the faith of the nation shall be pledged. I recommend it, also, to Congress, to provide, by law, for the appointment of a suitable number of Commissioners, who shall, under the direction of the President, be authorized to visit, and explain to the several tribes, the objects of the Government, and to make with them, according to their instructions, such arrangements as shall be best calculated to carry those objects into effect.

A negotiation is now depending with the Creek nation for the cession of lands held by it within the limits of Georgia, and with a reasonable prospect of success. It is presumed, however, that the result will not be known during the present session of Congress. To give effect to this negotiation, and to the negotiations which it is proposed to hold, with all the other tribes within the limits of the several states and territories, on the principles and for the purposes stated, it is recommended that an adequate appropriation be now made by Congress.

JAMES MONROE.

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Appointments.

Appointments by the President of the United States, by and with the advice and consent of the Senate.

JANUARY 3, 1825.

JOHN H. NORTON, to be Marshal for the District of Mississippi.

TOBIAS WATKINS, to be Fourth Auditor of the Treasury Department.

SAMUEL MOORE, of Pennsylvania, to be Director of the United States Mint.—Robert Patterson, resigned.

JOHN SHILLABER, of Massachusetts, to be Consul of the United States for the port of Batavia, in the island of Java, in the place of Abraham E. Soesman.

WILLIAM CLARK, of Missouri, to be Commissioner to treat with the Sock, Fox, and Ioway tribes of Indians.

JOHN PITMAN, of Rhode-Island, to be Judge of the United States for the Rhode-Island District.

DUTER J. PEARCE, of Rhode-Island, to be Attorney of the United States for the District of Rhode-Island, in place of John Pitman, appointed Judge.

BURRINGTON ANTHONY, of Rhode-Island, to be Marshal of the United States for the District of Rhode-Island, in the place of Ebenezer K. Dexter, deceased.

ELIAS GLENN, of Maryland, to be Judge of the United States for the District of Maryland, in the place of Theodor Bland, resigned.

NATHANIEL WILLIAMS, of Maryland, to be Attorney of the United States for the District of Maryland, in place of Elias Glenn, appointed Judge.

THEODORE HUNT, of Missouri, to be Recorder of Land Titles in said state.

JANUARY 10.

NICHOLAS BIDDLE and MANUEL EYRE, of Pennsylvania, E. J. DUPONT, of Delaware, and HENRY ECKFORD, of New-York, and WILLIAM PATTERSON in the place of John McKim, to be Directors of the United States Bank.

PHILIP RICHARD FENDALL, of Alexandria, to be Judge of the Orphan's Court for the County of Alexandria, in the District of Columbia, in the place of Robert Young, deceased.

ETHER SHEPLEY, of Maine, to be Attorney of the United States for the District of Maine, for four years from the 7th February next.

GEORGE BLAKE, of Massachusetts, to be Attorney of the United States for the District of Massachusetts, for four years from the 26th of January, 1825.

WILLIAM A. GRISWOLD, of Vermont, to be Attorney of the United States for the District of Vermont, for four years from the 3d of March next.

HEZEKIAH HUNTINGTON, of Connecticut, to be Attorney of the United States for the District of Connecticut, for four years from 17th January, 1825.

ALEXANDER BRECKENRIDGE, of Pennsylvania, to be Attorney of the United States for the western District of Pennsylvania, for four years from 3d March next.

JOHN GADSDEN, of South-Carolina, to be Attorney of the United States for the District of South-Carolina, for four years from the 7th of February next.

JOHN W. SMITH, of Louisiana, to be Attorney of the United States for the District of Louisiana, for four years from the 4th of January, 1825.

PRIOR LED, of Tennessee, to be Attorney of the United States for the Eastern District of Tennessee, for four years from the 3d of March next.

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SAMUEL C. ROANE, of Arkansas, to be Attorney of the United States for said Territory, for four years from the 7th of February next.

THOMAS SWANN, of the District of Columbia, to be Attorney of the United States for the District of Columbia, for four years from the 23d January, 1825.

GEORGE E. ROBERTSON, of New-York, to be Consul of the United States for the port of Tampico, in Mexico, in place of Nathaniel I. Ingraham, jr. deceased.

WILLIAM WHEELWRIGHT, of Massachusetts, to be Consul of the United States for the port of Guayaquil, in Colombia.

JOHN R. THOMPSON, of Pennsylvania, to be Consul of the United States for the port of Canton, in China, in place of Richard R. Thompson, deceased.

ABRAHAM B. NONES, of Virginia, to be Consul of the United States for the port Maracaybo, in Colombia, in the place of John M. McPherson, resigned.

WILLIAM MCRÉE, of South-Carolina, to be Surveyor of Public Lands in the States of Illinois and Missouri, and the Territory of Arkansas, in place of William Rector, removed.

WILLIAM SIMMONS, of Florida, to be one of the Legislative Council in Florida, in place of James Gadsden, resigned.

JAMES W. MCGOFFIN, of Kentucky, to be Consul of the United States at Acapulco, in Mexico, in place of William Steele, deceased.

JANUARY 13.

JOHN W. LIVINGSTON, of New-York, to be Marshal of the United States, for the Northern District of New-York, for four years, from the 19th of February next.

CHARLES T. PORTER, of Tennessee, to be Marshal of the United States for the Eastern District of Tennessee, for four years from the 12th February next.

GEORGE W. SCOTT, of Arkansas, to be Marshal of the United States, for said Territory, for four years, from the 7th February next.

JANUARY 19.

DUNCAN G. CAMPBELL and JAMES MERIWETHER, to be Commissioners to treat with the Creek nation of Indians.

JANUARY 25.

J. J. DEBESSE, of Rochelle, in France, to be Consul of the United States, for that place, in the place of Gerard D. Smith, resigned.

THOMAS MORRIS, of New-York, to be Marshal of the United States, for the Southern District of New-York, for four years, from the 21st of January, 1825.

NEW POST OFFICES.

A List of Post-Offices, established from the 1st of October, to the 31st December, 1824, both inclusive.

MAINE.

Saboia,	Penobscot.
Maxfield,	do
Wales,	Lincoln.
Blakesburg,	Penobscot.
Pushaw,	Penobscot.
East Thomaston,	

NEW-HAMPSHIRE.

Guilford Village,	Stratford County.
Dorchester,	Crafton do

MASSACHUSETTS.

South Leicester,	Worcester County.
Reading North Parish,	Middlesex do
Russell,	Hampden do
West Sandwich,	Barnstable do
Wendell,	do

CONNECTICUT.

Westchester,	County.
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NEW-YORK.

Moreland,	Tioga County.
Veteran,	Tioga do
Unionville,	Orange do
Middlebury Village,	Genesee do
Mina,	Chautaugue do.
Union Village,	Broome do
Orange,	Orange do
New-Scotland,	Albany do
Wellsburg,	Tioga do
Newville,	Herkimer do
Cold Spring,	do
Matterson's Mills,	Otsego do

PENNSYLVANIA.

Greysville,	Huntingdon County.
Cross Creek Village,	Washington do
Liberty,	Tioga do
Rushville,	Susquehanna do
Trout Run,	Lycoming do
Pottsville,	Schuylkill do

MARYLAND.

Harley's Store,	Frederick County.
Crampton's Gap,	Washington do
Flint Stone,	Allegany do
Randalstown,	Baltimore do

VIRGINIA.

Mt. Gilead,	Loudoun County.
St. James Church,	Bedford do
Flat Rock,	Powhatan do
Leafield,	Amelia do
Pleasant Hill,	Wythe do
Hatchersville,	do

NORTH-CAROLINA.

New-Gilliad,	Moore County.
Boyle's Store,	Stokes do
Pigeon River,	Haywood do
Kirkville,	Mecklenburg do
Cross Canal,	Camden do
Deers,	do
Walnut Grove,	do

SOUTH-CAROLINA.

Pagesville,	— District,
Stewart's Roads,	do
Walker's,	do
Duck Branch,	do
Ashepool Ferry,	do
Liberty Hall,	Pendleton do

GEORGIA.

Scull Shoals,	Green County.
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KENTUCKY.

Stampus,	— County
Roberts' Store,	Shelby do
Miller's Creek,	Estill do
Wardsburg,	Christian do
Hardensville,	Shelby do
Newtown's,	Green do

TENNESSEE.

Boydsville,	Davidson County.
Mt. Airy,	— County.

OHIO.

New-Haven,	Hamilton County.
Malaga,	Monroe do
Danville,	Knox do
Twinsbury,	Portage do
Philom,	Franklin do
Dartown,	Butler do

MISSISSIPPI.

Mt. Salus,	Hinds County.
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ILLINOIS.

Salem,	Marion County.
McCawley's,	Wayne do

ALABAMA.

Leighton,	Lawrence do
New Market,	do

MISSOURI.

Eagle Creek,	St. Charles.
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MICHIGAN TERRITORY.

Ann Arbor,	Washtenaw County.
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ARKANSAS TERRITORY.

White River,	— County
Little Red River,	— County

Total number, 79.

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PIRACY.

Report of the Committee of Foreign Relations of the House of Representatives, on Piracy and Outrages on American Commerce by Spanish Privateers, January 31, 1825.

The Committee of Foreign Relations, to whom was referred so much of the President's message to Congress at the opening of the present session, as relates to piracy and the outrages committed upon our commerce by vessels bearing Spanish commissions, and the memorials from different quarters of the Union upon the same subjects, availing themselves of the documents accompanying the President's message to the Senate, of the 13th January, which have been printed by order of that body, present to the House the result of their deliberations upon the subject submitted to them:

From the commencement of the Revolution, which has terminated in the separation of Spanish Continental America from Old Spain, the commerce of the United States, in common with that of all other nations, has suffered frequent outrages from the vessels of the adverse parties duly commissioned, with doubtful commissions, and from pirates who sought to conceal their true character by the use of the flag of some one of the belligerents. Constant efforts have been made by this Government to redress injuries suffered, and to prevent future outrage. Congress have, at all times, been prepared to give, and have afforded all the means necessary for these purposes within their province.

The act of the 3d of March, 1819, was passed specially to protect the commerce of the United States, and punish the crime of piracy. It gave to the President power (a power, however, which the President possesses without an act of Congress) to employ the public armed vessels of the United States to protect our merchant vessels and their crews from piratical aggression and depredation, to authorize the detention, capture, and trial, of the armed vessels which attempted any piratical depredation, search, seizure, or restraint of an American vessel. It authorized our merchant vessels to capture armed ships not commissioned by a friendly power, and to recapture vessels taken by them, and it directed the condemnation of the vessel so captured or recaptured; it provided for the punishment of the pirates when convicted by the competent tribunals. This act was limited to one year, but was continued in force of May 15, 1820, for two years, and four sections made perpetual by the act of the 30th January, 1823.

The re-establishment of the Constitutional Government in Old Spain, in March, 1820, inspired the strongest hope that the contest between Spain and Spanish Continental America would be soon amicably terminated, in a manner satisfactory to the parties at war, to the commercial and civilized world, and to all the lovers of humanity, justice, and liberty. The first movements of the regenerated governments promised a speedy realization of this hope.

The Cortes of Spain directed negotiations to be opened with Spanish America; commissioners were appointed; but the contending parties did not take the same view of the great questions between them. Old Spain would not admit the recognition of the independence of the Spanish American Governments, as the basis of negotiation; and the Spanish American Governments would not negotiate without that preliminary recognition. While these abortive attempts at negotiation were made, there was a temporary cessation of hostilities in Venezuela. The war, however, was renewed in Venezuela before the negotiations were broken off. Fortune favoured the Americans; and the European Spaniards were driven from the Continent. During this desperate contest, General Morales, the commander of the Spanish forces, issued his extraordinary proclamation, declaring a coast of twelve hun-

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dred miles in a state of blockade, and interdicting all foreign commerce with the Spanish Main, as inconsistent with the colonial law of Old Spain. This proclamation has been the fruitful source of most of the evils since suffered by all commercial nations in the West Indies, and in the Gulf of Mexico. Numerous pirates, and swarms of privateersmen, (subsequently degenerated into pirates,) have preyed upon all neutral commerce. Protection to that of the United States should have been, if it has not been, afforded against pirates by the use of all the necessary means under the control of the Executive; by a vigorous exertion of the naval power; by incessant watchfulness on the seas, and on the coasts infested by them; rigorous examination of all suspected vessels of every size; ardent pursuit of the persons found *flagrante delicto*, wherever they sought refuge; careful prosecution, before the competent tribunals, of all the accused, who were taken; unrelenting severity in inflicting punishment, where guilt was judicially established—against privateersmen, by appeals to the government of Spain, requiring immediately redress for the past, and security for the future: if made in vain, application should have been made to Congress, to authorize reprisals, or to declare war, as the extent of the injury, and a due regard to the condition of the Spanish government should have required. A further reference, however, to the past, would not be useful. For the present, and for the future, if legislative provisions are necessary, they should be made.

Piracy at present exists in the same form as in the year 1822, when a species of naval force, supposed to be particularly adapted to suppress it, was placed at the disposal of the Executive.—This force was believed to have answered the expectations entertained of it, as the President, at the opening of the last session of Congress, announced that "it had been eminently successful in the accomplishment of its objects." If further experience has shown that this species of force is inadequate to the accomplishment of the object, and that another may be advantageously substituted, there can be no doubt of the propriety of the substitution. This is a point, however, that the committee do not consider it their duty to examine; it belongs properly to another committee, the result of whose deliberations upon it has already been presented to the House. The merchants of the United States, who have, with the exception of our seamen, the deepest interest in this subject, suggest the propriety of suffering the owners of vessels to arm for their defence. There is no law forbidding such defensive armament, nor is any law required to justify it. It is, however, asserted, that the restraints upon the armament of merchant vessels are inconvenient and oppressive, and that they ought to be removed. The only provision on this subject is, that which requires bond and security to be given to prevent an unlawful use of the armed vessel; a provision which should not be changed—an adherence to which the best interest of commerce requires.

The propriety of authorizing by law the pursuit of the pirates on land, has also been a subject of consideration. The committee do not deem an act of Congress for this purpose necessary. The rule of international law is, that fugitives from the justice of one nation are to be considered in another as strangers entitled to protection, and having a right of residence; on the common principle, that no nation has a right to punish a person who has not offended itself, nor is it bound to assist its neighbour in the execution of its criminal laws. Pirates are criminals against all nations, punishable in every

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tribunal: the common enemies of mankind; the duty of all nations, and every man is, to hunt them down, that they may be delivered up to defended justice. Fresh pursuit of enemies in the territory of a common friend, is not universally admitted to be a right of war. Powerful nations never permit feeble nations to enter their territories for that purpose, but enter without scruple in pursuit of their enemies, the territory of such neighbours, unless restrained by the apprehension that the mutual friend seeks a fair occasion to become an ally against them in the war. Practically, the question is one not of right, but of relative power. The pursuit of a mutual enemy into the territory of a friendly or allied power, is a right of war: it cannot be deemed a violation of the sovereignty of that power; it confers a favour, and imposes upon him an obligation of gratitude.

The common enemy cannot avail himself of the protection of the territory of the third power, but by surrendering himself as prisoner of war, and in that event, if the force of the pursuer was the cause of the surrender, the pursuer might rightfully claim the benefit of the surrender. Under this rule the pursuit and capture of pirates anywhere, and every where, may be justified. The Executive has acted upon it. Instructions have been given to our naval commanders to pursue, and capture on Spanish territory, pirates who seek refuge or concealment there. The government of Spain has been duly warned of the existence of these orders; it knows that they will be obeyed.—No remonstrance has been made by it; no objections have, as far as the committee have been informed, been urged. The acquiescence of Spain is all that should be desired. A distinction is supposed to exist between pursuit of pirates on lands uninhabited, and on those inhabited; and it is imagined that the authority of Congress is necessary to justify pursuit in the latter case, while in the former, the power of the Executive alone is sufficient. The committee do not admit the correctness of this distinction. Fresh pursuit is justifiable in either case, if necessary to the capture of the pirate. There is greater danger of collision with the friendly power, when the object of pursuit flies into a settled country, and greater care is requisite to avoid giving offence; but the same principles apply to either case, and it is just as necessary that Congress should legislate to justify the capture of pirates, as to authorize the pursuit of them into any place of refuge inhabited or unsettled.

From an attentive examination of the letters of the agent who was sent to Cuba to obtain information relative to the pirates who have long infested the coast of that island, it would seem that no fresh pursuit on land will eradicate the evil. Authority must exist to search in the suspected settlements for persons believed to be guilty of piracy, and for the evidence of their guilt, and to bring them before our tribunals for trial and punishment. This authority Congress cannot give without making war upon Spain. It cannot be used without wresting from Spain her municipal jurisdiction. The evil lies too deep to be reached by any ordinary measures, which foreign powers can apply to it.

The government of Spain must give to the local authority what it is said to want—sufficient strength to prevent and to punish crimes: it must perform its duties, or those who suffer from its neglect or weakness will be driven, by the necessity of the case, to apply the corrective. The committee would bring more distinctly into view the only efficient remedy, and recommend a resort to it, if they believed sufficient time had elapsed since remonstrances were made by our government to Spain, to prove incontestably that she wanted either the power or the will to do her duty, although they are aware that the conduct of any government in applying that remedy without previous concert with other nations alike interested in the question, would be liable to misconception, and excite well-founded jealousies. The committee cannot doubt that the Executive, applying all proper means to prevent, to detect, and to punish, the crime of piracy, and pressing upon Spain, and her local authorities, that the honour and the interest of Spain requires their best exertions for the same purpose, will not fail to confer with the great commercial nations on the extraordinary measures to be used, if the object is not speedily accomplished by the faithful exertion of the powers of Spain.

The danger to which our commerce is exposed, and the injuries it has suffered from privateers acting under regular or irregular commissions, are of a different character, and require a different remedy. The committee understand that outrages of this kind have already, if not entirely ceased; for those which have been inflicted, or may hereafter be inflicted, Spain is directly responsible. Reparation must be had; by negotiation, or by the exercise of

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such powers as may, for that purpose, be vested in the Executive by Congress.

To guard against future injury, the safest resource is to enforce promptly, ample redress for that which has been suffered. The committee have already referred to the injuries suffered in consequence of the proclamation of Morales. Those injuries are not yet redressed. The Government of Spain has not attempted to justify a proclamation declaring, with a naval force insufficient to shut up the smallest port on the coast, a seacoast of twelve hundred miles in a state of blockade, nor the absurd pretension that the property of all neutral nations is, under the colonial law of Spain, liable to confiscation, if taken on its way to Spanish America; but the property of American citizens captured by privateers from the Islands of Porto Rico and Cuba, and from Porto Cabello, is now withheld under these pretensions. The Spanish Government having formally revoked the blockade, gives to the tribunals of Spain an excuse for the condemnation of all property seized prior that revocation; an excuse of which they do not hesitate to avail themselves. Acting under instructions from the President, of the 28th April, 1823, the Minister of the United States, at the Court of Spain, demanded satisfaction in January, 1824, from that Government, for the outrages committed from Porto Cabello, and the islands of Porto Rico and Cuba, upon the commerce of the United States, and for the wanton murder of one of our gallant officers in the harbour of St. John's, by the officer commanding the fort at its entrance. In September, of the same year, Spain was again called upon to indemnify those who had suffered in person or property under the proclamation of blockade, or from the interdiction of neutral commerce to the Spanish Main. In October, the just reclamations of our Government were, for the third time, formally made to the Government of Spain. No satisfaction has been given, no indemnity has been promised, nor has there been even a satisfactory excuse given for the delay to answer the just demands of the Minister of the United States.

The character of the injury sustained, its origin, the period elapsed since it was inflicted, the formal and fruitless demand for reparation for more than twelve months, justify reprisals. An anxious desire not to act harshly to a Government embarrassed by internal difficulties, and enfeebled by recent revolutions, the distance of the seat of the Spanish Government, from the places in which the evils complained of originated, the death of the Minister appointed by the Spanish Government on the eve of his departure to this country, and the recent selection of another Minister, whose appointment and intended departure for the United States, has been communicated in an official letter, a translation of which is herewith presented to the House, induce the committee not to propose any legislative enactment, under the firm conviction that this forbearance will give to Spain a new motive to make speedily ample reparation for the injuries sustained, and that, if it does not produce this desired effect, it will justify, in the eyes of all nations, any and every step Congress may hereafter be compelled to take.

DEPARTMENT OF STATE, Washington, Jan. 24, 1825

SIR: I have the honour of enclosing, herewith, a translation of the only answer yet received from the Spanish Government, to Mr. Nelson's notes on the subject of piracy and outrages on our commerce. It has been received since the communications to Congress of the previous documents were made. I am, with great respect, Sir, your very humble and obedient servant, JOHN Q. ADAMS.

JOHN FORSYTH, Esq.
Chairman of the Com. of Foreign Relations, H. R. U.

[Translation.] Mr. Zea Bermudez to Mr. Nelson.

SIR: From the middle of September last, when I took possession of the appointment which the kindness of the King, my august master, deigned to entrust to me, I dedicated, by order of His Majesty, my attention to the different notes presented to you, relative to the claims of the American subjects, who thought themselves entitled to be indemnified by Spain for the losses which they have suffered in the seas of America. A business so complicated, in which considerable interests are involved, presented so much more difficulty, by how much there were intermingled with it other interests and other claims of Spanish subjects, against the government and subjects of the United States.

His Majesty, desirous of preserving the friendship and good harmony which happily subsists between both nations, and that, in faithful observance of existing treaties, both

Governments should terminate, in a friendly manner, this delicate question, the legitimate rights, and just pretensions of both being mutually conciliated, has thought that the most proper means for gaining this desired end, is to send immediately a Minister Plenipotentiary, to reside near the American Government, who, by his information, prudence, and practical knowledge of the relations between both countries, may be at the same time, the interpreter and the executor of the just intentions of the King. In consequence, His Majesty has been pleased to appoint Don Jose de Heredia, His Envoy Extraordinary and Minister Plenipotentiary in the United States of America. He will set out for his new destination as soon as possible.

I hasten to inform you of this, that you may be pleased to lay it before your Government; and I avail myself of this occasion, to repeat to you the assurances of my most distinguished consideration. God preserve you many years. Your most obedient servant,

FRANCISCO DE ZEA BERMUDEZ.
San Lorenzo, 19th November, 1824.

Extract of a Letter from Francis Adams, Commercial Agent of the United States, at Matanzas, to Mr. Adams, dated 30th December, 1824.

"Those piratical bands who have become the disgrace and scourge of the Island, are, for the present, restrained by the number and vigilance of the forces sent by the United States and Great Britain for their suppression, but that they are only restrained and not extirpated, is certain, from the fact, that few or none have been captured, and that depredations have recently been committed on land, by bodies of fifteen or twenty persons, by which the foreign settlers on the coast have been the sufferers. Their migratory course of life, and the various points of the coast which afford fine harbours, and are, at the same time, distant from any military post, or even inhabited district, renders their extirpation, by the authorities of the Island, difficult, if not impossible; and the arming of merchant vessels to resist the attacks of small boats, and the constant presence of a naval force sufficient to prevent the egress of larger vessels, appears to be the only means of securing our trade from their depredations, until the hopelessness of their employment, or the revival of Spanish commerce, shall have induced an abandonment of their desperate course of life."

TRANSPORTATION OF THE MAIL.

Report of the Postmaster General, in relation to the transportation of the Public Mail, between Philadelphia and Baltimore.

POST OFFICE DEPARTMENT,
29th January, 1825.

SIR: In obedience to a resolution of the House of Representatives of the United States, of the 24th instant, which directed that the memorial of sundry citizens of the State of Maryland, upon the subject of transporting the United States' Mail, between the cities of Baltimore and Philadelphia, should be referred to the Postmaster General, with instructions to report to the House what provisions are necessary by law, if any, to remove the evil complained of by the petitioners; I have the honour to state, that, during a considerable part of the winter and spring seasons of the year, when the weather is mild, the great mail route between the above cities is so bad, as to render the rapid movement of the stages upon it impracticable.

As there is but little travel on the greater part of this route, when the steam boats ply upon the Chesapeake and Delaware, the necessary repairs upon it have been almost wholly neglected for some years past. But, if this road were turnpiked the entire distance, the crossing of the Susquehanna at Havre-de-Grace, which is more than a mile wide, will always impede, and frequently stop, the progress of the mail. High winds sometimes render an attempt to cross extremely hazardous, but floating ice, in the winter and spring seasons, forms the most serious obstacle. Although the utmost exertions are always used by experienced ferrymen,

the boat is frequently several hours in crossing with the mail. The time of crossing, at this season, is in the night, and frequently the darkness is so great, that the ferrymen have no other guide than the sounding of horns. The North East, Big Elk, and Little Elk, are often impassable on this route, immediately after a heavy rain. These streams rise suddenly, and their currents are so rapid when swollen, that, to cross them, is very dangerous. Last winter, in crossing them, as well as the Susquehanna, the mail was near being lost several times. At one time, one of the stage horses was drowned, and the others, with the mail, were saved by very great exertions.

The only effectual remedy to avoid delays at these rivers, would be, to construct bridges over them. North East, Big Elk, and Little Elk, might be bridged at a small expense, but a bridge over the Susquehanna, at Havre-de-Grace, if practicable, could not be seriously contemplated, by any one, when the bridge at Port Deposit stands only six miles above. This bridge has been constructed at an expense of about one hundred and eighty thousand dollars, and is represented to be of good material and superior workmanship. When it was built, a turnpike road was contemplated to it from Baltimore, on nearly a direct line, thence, by the way of Newark, to Staunton, through which the present mail route passes. By actual survey, this route from Staunton to Baltimore, is about one mile shorter than the road by Havre-de-Grace.

The "Baltimore and Rock Run Turnpike Company," after constructing the bridge at Port Deposit, ceased further to prosecute their designs. No part of the turnpike has been made. Several roads lead from Baltimore to this bridge, and thence to intersect the present mail route eastwardly, but, it is understood, that none of them are in a condition to admit of stages.

From Staunton to Baltimore, on the route surveyed by the way of the bridge, it is fifty-seven miles and a half. It will not, however, be necessary to construct a road the whole of this distance, should it be deemed proper to establish the great mail route by the way of the bridge. The Baltimore and Havre-de-Grace Turnpike runs nearly by the proper direction to the Great Gunpowder, a distance from Baltimore of thirteen miles; from thence to the bridge, the ground is represented to be level, and such as will admit of a road at a small expense. From the bridge to Staunton, is twenty-six miles. To pass from the bridge by the way of Elkton, would increase the distance to Staunton four miles. Should this route be preferred, it would be only necessary to make a road from the bridge to Elkton, a distance of about seventeen miles.

The road from Elkton to Staunton has been turnpiked. If a road of thirty-five or six miles in length, estimating the distance on both sides of the Susquehanna were constructed, and bridges thrown over Big Elk and Little Elk, all obstructions to the rapid and regular transmission of the mail, between Baltimore and Philadelphia, would be removed. The road from the bridge at Port Deposit to Elkton, would cross the North-East Creek, at Gilpin's Bridge.

The distance from Baltimore to Philadelphia, by the way of Port Deposit bridge and Elkton, would not be increased, over the present mail route, more than three miles.

I have the honor to be, very respectfully, your obedient servant,

JOHN M'LEAN.

To the Hon. HENRY CLAY,
Speaker of the House of Representatives.

INDIANS.

Report of the Commissioners appointed to treat with the Creek Nation of Indians, for an extinguishment of their claim to land lying within the state of Georgia, &c.

CITY OF WASHINGTON, 8th Jan. 1825.

SIR: The Commissioners appointed by the General Government to hold a treaty with the Creek nation of Indians, for the acquisition of territory, met at the Broken Arrow, an Indian town on the Chatahoochee, on the 29th November last. The negotiation was commenced on the 1st December, with the Chiefs of the nation, in number about two hundred. There were in attendance, however, from six to ten thousand of the inhabitants of the country. Our proceedings were necessarily protracted, on account of our exposed situation at an inclement season, and the obstacles which we had to encounter. Having continued in session from 1st to the 18th of December, we resolved upon a temporary adjournment, that we might be enabled to communicate with the government upon points materially affecting our future operations. For this purpose, I have visited this place, and now do myself the honour of submitting to the Department, as well the proceedings which have already occurred, as the prospective arrangements which we hope to effect.

From the discussions which have been had, great in number and variety, upon the subject of our relations with the Indian tribes within the limits of states, we are very certain that we do not err in concluding that it is the wish as well as the policy of the government, that the land claim of such tribes should be extinguished, and their removal effected. To produce such desired end, the Commissioners have exerted every mean which it was in their power to control. Had the authorities and people of the nation been left to the free and unrestrained exercise of their own inclinations and judgment, we believe that our success would have been commensurate with our wishes and propositions. From the outset, it was impossible not to perceive a very striking difference between the sentiments and deportment of the Chiefs of the upper and lower towns. This local distinction applies itself to the settlers upon the Tallapoosa, and those upon the Chatahoochee. The former are principally under the control of the Big Warrior, and the latter of General McIntosh. The former were stubborn and unyielding, while the latter considered our proposition as reasonable, and were disposed to its acceptance. A treaty could have been obtained, signed by a large majority of the Chiefs within the Georgia limits, ceding the territory which they occupy, and we doubt not but that there would have been a striking unanimity on the part of the population, but for the threats and intimidating language which had been industriously circulated. These are contained in the written proceedings of the two meetings held by a portion of the Chiefs at Tuckabatchee in May, and at the Pole Cat Springs in November last. The first of these meetings seems to have been produced, in some measure, by a communication made by John Ross, a Cherokee Chief, to the Big Warrior, immediately after his return from this place, in the spring of the last year. His communication was accompanied by manuscript copies of the whole proceedings which occurred shortly previous, with that tribe. With the precise tenor of Ross's letter, we could not inform ourselves, but understood that it proposed a concert of action between the two tribes; that it earnestly advised a resistance of the policy of the government, and that its further aim was to depreciate McIntosh, and to destroy his standing and influence. The course prescribed seems to have been scrupulously pursued, for, at the meeting at Tuckabatchee, the

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resolution was, to "follow the pattern of the Cherokees, and, on no account whatever, to consent to sell one foot of land, neither by exchange or otherwise." This meeting was attended exclusively by chiefs within the Alabama limits. The proceedings of this meeting were in the presence of, and reduced to writing by Capt. Walker, the sub-agent, and carried, shortly after, in June, to the Broken-Arrow, by the Big Warrior, and submitted for sanction. No objection was made, except by McIntosh, neither do we understand that any direct sanction was obtained. The time which transpired between the period of this meeting and the subsequent meeting at the Pole Cat Springs, in November, seems to have been industriously employed in confirming the decision of the upper town Chiefs, and in exciting and cherishing the fears and alarms of McIntosh and his adherents.

The second meeting at the Pole Cat Springs, was at the house of the sub-agent, and, as on the previous occasion, he was the writer of the state paper, and immediately afterwards, caused both to be published in the newspapers of Alabama. A paper containing these publications accompanies this statement. Of the existence of these proceedings, by which the question was prejudged, and the commission forestalled, we had no knowledge until we obtained it casually on our way to the treaty. Under these disadvantages the negotiation was commenced, and the journal of our proceedings, herewith furnished, will serve to show, to some extent, the manner in which it was pursued. The Commissioners were dependent solely upon their own exertions. They derived no aid from the principal agent, and encountered the perfidious opposition of his assistant. I may not, sir, have a proper apprehension of the duties and obligations of the agent's department; but according to my convictions, a furtherance of the views and policy of the government should form its paramount consideration. The agent, however, entertains a different sentiment, and professes to pursue the course of strict neutrality. As against the agent, we make no charge of interference. But that Captain Walker has prostituted the duties of his office, and wantonly intermeddled, we have no hesitation in alleging. If these people are capable, they are not inclined to draw the distinction, and therefore give to the conduct of Captain Walker the sanction of the agent's department.

I have thus, sir, enumerated some of the causes which operated what some of our adversaries are pleased to regard an entire defeat. We are far, however, from considering that we have failed in laying the ground-work of the most pleasing and satisfactory success. The letter which I had the honor to address to the Department, from Augusta, in November, 1823, in which allusion is made to the sentiments of General McIntosh, has been used as an instrument, in the hands of his enemies, for the purpose of lessening his influence, and of bringing him into contempt among his own people. Satisfied as I am that nothing which I then said, or which I shall now say, ought, rightfully, to have such tendency, I shall proceed to detail some further proceedings with which that individual is particularly connected. So long as the negotiation was conducted with the council generally, no answer was received other than a prompt rejection of every proposition which was submitted. We were aware that individuals sitting in council acquiesced in such refusal who are heartily disposed to a cession, but were held in restraint by the intimidating language of the adverse party. We made access to a number of chiefs of this description, and received from them a full disclosure of their feelings, wishes, and difficulties. A treaty could have been obtained, signed by a full representation of chiefs,

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from all the towns within the limits of Georgia. The population contained within those limits, is represented by the Agent to be about ten thousand; and, also, to be the one-half of the whole nation. Such treaty would have extinguished the Indian claim to all lands within the limits of Georgia; and would have effected the removal of that number of Indians beyond the Mississippi. To the conclusion of such a treaty, at the time, and under the circumstances, two difficulties presented themselves. We had commenced our negotiation with the entire nation, represented by a national council. After doing this, we were not fully satisfied that a treaty obtained from a divided council, sitting at a different place, would have met the sanction of the government. Its rejection would have reduced its signers to the grade of common Indians, and perhaps have exposed their persons to the severest vengeance of the opposing party. It was, therefore, thought most expedient to come to a temporary adjournment, and consult the government in relation to the exigency. The authority of the Executive is asked to convene the chiefs within the limits of Georgia, to negotiate with them exclusively, if we think proper, or inclusive of a deputation of chiefs from the upper towns, if such a deputation should present themselves, and evince a disposition to negotiate to a further extent. The success of any future operation depends, solely, upon the decision to be made upon this proposition. The grant of such authority, with positive certainty, will result as I have stated. If it be considered as inconsistent or impolitic, then any further prospect of acquiring lands of the Creeks, by the process of negotiation, may be considered as closed. Much conversation was held with General McIntosh, concerning the details and consequences of such an arrangement. He is the only Indian with whom I have ever conversed, who seemed to comprehend rightly the connexion between the Indian tribes and the government of the United States.

If others have the like legal view of their condition, they have never had the candor or magnanimity to express it. He seems to appreciate very feelingly the manner in which the tribe has been cherished; and the very humane and advantageous policy suggested by the President and the Department, of concentrating all the tribes in compact settlements, beyond the Mississippi. In effecting this design he will have it in his power to be eminently useful. Himself and his followers, ten thousand in number, would form the largest tribe in the west; and, by example and invitation, would induce others to join them. It is sanguinely believed that, even at the outset, if such arrangement were about to occur, that the nation would not permit itself to be divided, but that the whole would come in, and that the removal would be general and entire. But if this desirable end could not be produced at once, the emigrating party would very speedily drain from our limits those who might remain. For considerations like these, I view it as matter of great moment to maintain McIntosh in his authority and influence, and in his estimation of himself. I beg to be pardoned for suggesting that I consider this much to be his due, from the important military services which he has rendered the United States. He stands very differently, in point of merit, from his principal opposer, the Big Warrior; and the like difference would be found in a comparison of the followers of the one with those of the other. He has been to the west himself, and has the judgment to discover, and the candour to acknowledge, the superior advantages of a location in that quarter. He would have preferred the territory selected by the Choctaws, but has no objection to a settlement still further west.

The emigrating party are desirous that as little

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time should be lost as possible. They will send out an exploring committee, and wish to avail themselves of the spring and summer of this year for that purpose. They are desirous also that the period of their removal should not be beyond the next fall. Such promptness and expedition cannot be otherwise than acceptable to the government. It will be particularly so to the States which are interested. It is proposed, by the emigrants themselves, to relieve the government from the entire expense and detail of transportation. A particular sum, not unreasonable or excessive in amount, will be stipulated to be given, which they will receive and disburse themselves, considering it as a full indemnity for the improvements which they abandon, and the expenses which they may incur, either in transportation or the purchase of necessities to sustain them in their new settlement.

Upon the subject of the government of the Creeks, we could not acquire information of a definite and satisfactory character. Their council is composed of a great number of chiefs, of various grades of authority. The Big Warrior is the head chief of the upper towns, and McIntosh of the lower. He is, also, Speaker of the nation. The Little Prince is highest in authority; being head chief of the nation; and has been uniformly the friend and adherent of McIntosh. In the present negotiation, he considered himself bound, by the sanction he had given to the proceedings at Tuckabatchee and Pole-Cat Springs. His attendance at those meetings we consider to have been insidiously procured. The attendance of the head chief of the Cowetau Town was procured in like manner, at the last meeting at the Pole-Cat Springs. The name of this chief, as signed to the proceedings, is Tomma Tustanugga. I received the statement from himself that he had been taken in, and imposed upon, and that he should not hold himself bound by the supposed pledge. The Cowetau town is the most extensive and numerous in the nation, and claims to be the original town of the whole tribe, and that all others are its branches. In proof of this priority of standing, I beg leave to refer you to our journal, which contains a communication from the Council of the 11th of December, in which they say that the first-red people that ever visited the whites were from the Cowetau Town. The like proof was contained in an observation of the Little Prince, during the negotiation. In argument an old treaty was referred to, which had been concluded between the Creeks and the State of Georgia. Its authenticity was denied, on the ground that "no Cowetau chief had signed it." Cowetau is on both sides of the Chatahoochie; contains McIntosh, the Little Prince, Tomma Tustanugga, and extends from Broken-Arrow to the Cherokee boundary. It is worthy of remark, that the treaty of 1821, concluded at the Indian Springs, is signed but by two chiefs on the Alabama side of the nation. The fact is, that McIntosh maintains the right of the Cowetau Town alone to dispose of the whole country. It would seem that the upper towns conceded this authority, and dreaded its exercise; for the utmost consternation was discoverable wherever it was known that commission, [the commissioners] and the Cowetau chiefs had had an interview.

Thus, Sir, have I hastily detailed to you the obstacles which we have had to encounter; the foundation which we laid; the prospective advantages which are held out to us; the manner of their attainment; and a very imperfect history of the relative powers of the Creek towns. I shall be gratified if the sketch shall be found to contain the information required. If it does not, its defects may probably be supplied by reference to myself; and [I] hope that such reference may be made, without reserve, as often as necessary.

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I would add, very respectfully, that an early decision is desirable. It is in contemplation to return to the Creek country, re-assemble the chiefs, by the 5th of February, and transmit the treaty in time for the adjudication of the present Senate.

With great consideration and esteem, I have the honor to be, Sir, your obedient servant,

DUNCAN G. CAMPBELL.

The Hon. J. C. Calhoun,
Secretary of War, Washington City.

MILITARY AFFAIRS.

Report of the Committee on Military Affairs, on the gradual increase of the Corps of Engineers and Topographical Engineers, and for other purposes.

The Committee on Military Affairs, to whom was referred that part of the President's Message relating to the proposed increase to the corps of Engineers, and so much of the communication of the Department of War, recommending the equalization of the rank, pay, and emoluments, of the several principal Professors of the Military Academy at West Point, as well as certain additional appointments necessary for the efficiency of the same, beg leave to report:

That they have carefully considered the topics embraced in the inquiry, and have arrived at the conclusion, that, however requisite, at a future period, a more enlarged organization of the corps of Engineers and Topographical Engineers may be, that, at present, it seems to them the more judicious policy, to provide for a multiplication of the subordinate grades in both corps, by which the material for an increase, as they may be wanted for the public service, of the higher officers, will be supplied in the best manner. With this view they have, in the bill which accompanies this report, made provision for a gradual reception of two Lieutenants into each corps annually, for the ensuing four years, at the discretion of the President, from those Cadets at West Point, whom, at their graduation, evince the highest aptitude for this service. This arrangement will immediately enable the Department to supply, in some degree, the assistants that are required at the fortifications, and supersede the necessity, to the extent of the appointments made annually, of citizen sub-assistants, or overseers of work, being hired at a price much exceeding the pay of a subaltern of the army of the United States.

The committee think it unnecessary to discuss the expediency of equalizing the rank and pay of different Professors and Teachers at West Point, or of establishing, by law, a Professorship of Chemistry at that institution, and certain assistants, together with a requisite provision for the appointment of a Sword Master, Modellar, Steward at the Hospital, and the fatigue party of laborers, &c. because it would be merely to repeat the reasons, in detail, for these necessary arrangements, so strongly enforced in the report of the Board of Managers, which are to be found in part the second of the executive papers of this session, to which your committee beg leave to refer, and, in conclusion, to remark, that the bill which they now report, in conformity with these recommendations, embraces such objects as they think of immediate and indispensable utility, and as calculated to give higher efficiency to an institution to which the best feelings, as well as the best hopes, of the country are strongly attracted.

OHIO AND MEXICO.

Petition of Sundry Inhabitants of the State of Missouri, upon the subject of a communication between the said State and the Internal Provinces of Mexico; with a letter from Alphonso Whetmore, upon the same subject.

To the Senate and House of Representatives of the United States of America, in Congress assembled:

The petition of the undersigned, inhabitants of the State of Missouri, respectfully shows:

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That a commercial intercourse has been carried on, for some years, between the State of Missouri and the Internal Provinces of Mexico, commenced on the sole industry and enterprise of the citizens, and carried on without government protection, until, from small beginnings, it has grown to be a trade of much value, and promises to become, (with some countenance and protection from the general government,) a permanent and lucrative branch of the commerce of the State. The Internal Provinces, from their local position, are naturally dependent upon the Valley of the Mississippi for their annual supplies of foreign goods. The Rio Grande del Norte, which traverses several of the Provinces, is incapable of navigation, because the channel is choked with sand between the Paso and the Gulf of Mexico. Vera Cruz has, heretofore, been the port of entry to the goods brought into the Internal Provinces, and the overland communication from this point to the principal cities and most populous parts of the provinces of New-Biscay, New-Mexico, Coahuilla, Sonora, and Sinaloa, is from one thousand to two thousand miles.

Over this long distance, upon the backs of mules, sometimes ascending mountains, and sometimes crossing large tracts of arid and sterile deserts, infested with robbers, have supplies of goods heretofore been brought to the provinces called "Internal," from their local position; and embracing a country of greater extent than two or three of the first rate monarchies of Europe put together. Vera Cruz is the nearest and best port on the Gulf of Mexico. On the coast of the Pacific Ocean, at the mouth of the Rio de Santiago, some degrees south of the Gulf of California, is the port of San Blas, which is much nearer than Vera Cruz to the Internal Provinces; but, to arrive at this port from Europe or America, Cape Horn must be doubled—twenty thousand miles of ocean must be traversed; and then will commence the same overland conveyance on mules, over mountains, with their accompaniment of deserts and robbers, extending five hundred miles to Durango, near a thousand to Chihuahua, and fifteen hundred to Santa Fe, of New-Mexico. Merchants, from remote points or ports, cannot contend with merchants from the Valley of the Mississippi: the experience of three years has proved this fact, which the face of the maps had previously announced, to all observing men. The Valley of the Mississippi borders upon the Internal Provinces—the noble rivers of this valley draw their waters from the immediate confines of these Provinces. From the frontier settlements in Missouri and Arkansas, it is but fourteen degrees of longitude to Santa Fe and Chihuahua; (equal to about 700 miles,) the intervening country, level, open; practicable for carriages, in a state of nature, and abounding with the means of subsistence for men and horses. In a word, the journey from Missouri to the Internal Provinces is shorter and easier than the journey from Missouri to Pennsylvania. This fact, palpable to the sense of the enterprising inhabitants of Missouri, produced its natural effect: about three years ago, it induced a small company of adventurers to go out with merchandise: their success induced others to adventure in each succeeding year; and in the month of May of the present year, (1824,) a caravan of eighty-two men, forty-two pack-horses, twenty-three four-wheeled carriages, and one piece of field artillery, followed their example, and successfully accomplished the expedition. The capital embarked in the adventures, consisting of dry-goods, has usually been small, but has yielded a profit of several hundred per cent; and the returns of this year, in silver, beaver, and mules, are estimated at one hundred and thirty thousand dollars: an amount considerable in itself, in the commerce of an infant state, but chiefly deserving of consideration as an earnest

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of the future proceeds of a regulated and protracted trade. The protection which the trade demands chiefly refers itself to the Indian inhabiting or roaming over the intermediate country between Missouri and the Internal Provinces. A right of passing is needed through their country, and security against the robberies and murders which all savages are prone to commit on the traveller and merchant; several instances of which have already occurred in the prosecution of this trade. An extension of the system of Indian intercourse, from the east to the west bank of the Mississippi, will accomplish these objects. Roads, stations, agencies, and treaty stipulations for good behaviour on the part of the Indians, and subsidies, in the shape of annuities, on the part of the United States, secured to the people of Tennessee, Kentucky and Ohio, an early commercial intercourse with Natchez and New-Orleans, and converted the intermediate tribes, from wild hunters, to settled farmers, living in houses, cultivating the soil, planting orchards, and educating their children. The same policy may produce the same effect on the west as well as the east side of the Mississippi: commerce is the civilizer of mankind. To these protections and facilities, in passing through the Indian nations, should be added the authority of consuls in Santa Fe, Chihuahua, and Durango, to guard the rights of their fellow-citizens, protect them from impositions, and furnish an official organ of complaint to both governments, in the event of any abuses from the local authorities. In making these demands upon the federal government, the undersigned petitioners claim the benefit of that policy which, with fleets, of ambassadors and consuls, protects the persons and the property of American citizens upon every sea, in the most remote countries, and upon distant isles. They would feel themselves to be safe in resting the success of their petition upon the manifestation of the single fact, that the interest of Missouri alone was concerned in the event. But the interest of the question is not limited to her: it extends itself to other parts of the union—to the cotton grower of the south, and to the cotton manufacturer of the north. The principal article carried out to the Internal Provinces, is cotton goods, the growth and manufacture of the United States. In opening a new, increasing, and permanent market for the consumption of this article, the people of Missouri mingle their interest, and divide their advantages, with the inhabitants of the most sections of the union. Other reasons for the encouragement of trade and intercourse between Missouri and the Internal Provinces, growing out of the policy which should promote the spread of republican principles and diffusion of knowledge, are too obvious to be insisted upon, and are left, by the undersigned, to the enlightened consideration of the Congress.

And your petitioners will pray, &c.

Missouri, Oct. 1824.

FRANKLIN, Mo. 19th Aug. 1824.

SIR: In compliance with your wishes, as expressed during your stay at this place, I have collected and hasten to transmit you all the information that can be at this time procured in relation to the internal trade between this section of Missouri and Santa Fe, one of the provinces of Mexico.

The history of this commercial intercourse, as you have desired it, should, you will observe, embrace every subject on which it will be material that you should be informed, with a view to the maturity of the plan you have in contemplation, of obtaining from the National Legislature such protection for, and facilities to, those interested in it, as may be practicable.

The principal facts herein contained, in addition to those which have come under my own observation, have been politely furnished by Col. Cooper, an old and very respectable inhabitant of this country. One of the first enterprises in this trade was planned, and the party conducted by this gentleman.

The route pursued by the first adventurers was more circuitous than that at present travelled; and the distance, which was originally believed to present a serious obstacle to this trade, has been so much reduced, by a better knowledge of the coun-

try, as to form no considerable objection to a profitable prosecution of this novel and interesting commerce.

In the summer of 1822, there were two expeditions fitted out from this town and its vicinity. The one commanded by Col. Cooper was composed of sixteen persons; they carried with them but little merchandise, and received in exchange, specie, jacks, jennets, and mules. Col. Cooper and party transported their goods upon pack-horses and mules.

Mr. Becknal, the leader of the second party, (of twenty-one men,) took with him a wagon, as did also two or three of his associates. These parties both returned the same season that they went out.

In the autumn of 1821, Mr. Becknal had left this place for the uninhabited country that lies between Missouri and the upper province of Mexico, for the purpose of hunting game and to procure wild horses. In his wanderings he had, either by accident or design, fallen into the Spanish settlements, and proceeded as far as the town of Santa Fe. He returned in the following December and January, having left one or two of his party behind him.—To him we may, therefore, attribute the discovery of the route.

Encouraged by these successful essays, in the spring, or the beginning of 1823, an association of about thirty-five adventurers formed themselves into something like a caravan, with laws or rules, enacted by common consent, for their government; and they likewise appointed officers to enforce their obedience. The whole of their merchandise was packed on horses and mules; and it consisted of such articles of dry goods as are usually vended in the shops of this country. They disposed of their merchandise for cash, beaver, jacks, and jennets, and mules.

In the month of May, 1824, a caravan of seventy-eight men was formed, who took with them twenty-three carriages, and about two hundred horses.—The total amount of their merchandise was probably 24,000 dollars. It consisted of almost every kind of dry goods that is vended in this country. Mr. Le Grand was appointed Caravanbachi, or head of the caravan. This gentleman had resided some time in Santa Fe, and is well informed in the customs of the province. He is a young man of fine genius and liberal acquirements. He is of opinion that the capital employed in this trade may be increased to a considerable extent.

Several men of character have, this year, embarked in the Santa Fe trade, and who have the ability to employ more capital than they were willing to risk, until they had made themselves acquainted with the hazards to be encountered. This caravan is expected to return in the autumn of the present year.

The distance from this place to Santa Fe, and to the village of Tous, is seven hundred and eighty miles, according to the most accurate computation that has been made. From this place to the point where the Santa Fe track leaves the Missouri, a little below Fort Osage, is eighty miles; from thence to the Né-o-sho branch of the Arkansas, is one hundred and fifty miles; and from this to the main branch of Arkansas one hundred and fifty miles; after crossing, the route lies up this river a distance of one hundred miles. On leaving the river, a desert of sand hills, of six or seven miles, must be crossed, that is almost destitute of herbage, as well as timber. This border of country extends an unknown distance north and south, or parallel with the river.—From the main branch of the Arkansas river to Santa Fe, is estimated at three hundred miles.

The whole distance from the settlements on the Missouri to the mountains in the neighbourhood of Santa Fe, is a prairie country with no obstructions in the route, except the rivers and creeks, and those are generally fordable, with firm sloping banks. No bridges are deemed necessary. A good wagon road can, therefore, be traced out, upon which a sufficient supply of fuel and water can be procured, at all seasons, except in winter. The course pursued, after leaving settlements

on the Missouri river, is a little south of southwest.—The province of Santa Fe is said to be populous. Its circulating medium is made up of silver coins, and the metal is as pure as our own. Some few base coins are in circulation in that country, but they are easily detected.

The people of this province reside in villages, for their mutual security. They may be said to be a community of shepherds, who possess immense herds of neat cattle and sheep. They give but little attention to agriculture, being but little encouraged to do so, by the soil or climate of their country.

The most acceptable service that could be rendered those engaged in this inland trade, would be to mark a road, so as to enable them to pursue their operations without loss of time or distance.

This might be effected by erecting at suitable intervals stone pillars or marks to designate the track. The country abounds in stone suitable for this purpose.

If an appropriation can be obtained to effect this object, allow me to suggest that two commissioners, authorized to lay out the road, might, while so engaged, superintend the setting of marks; and, by the aid of a surveyor, complete the service in the short space of two or three months. Col. Benjamin Cooper, from whom I have obtained much information on this subject, I think eminently qualified for this service. You are probably aware that he is a man of good understanding, which, I believe, is not in the least impaired by age.—He is well acquainted with the courses and distances, and is an excellent woodsman. He might be associated in commission with some individual whose literary acquirements would qualify him to give a satisfactory account of their proceedings. A small detachment of troops might be employed on this service, who would execute the labour contemplated; and thus the expense of the enterprise would amount to a very inconsiderable sum. Or some 20 or 30 citizens of this country could be engaged on the same terms that the Rangers were employed, for frontier service, during the late war.

Since writing the above, I have conversed with Mr. Becknal, who is about to depart for Santa Fe, accompanied by sixteen men. He intends to visit the Oregon before he returns. He will probably be absent about ten months.

The trade with Santa Fe, from this place, is attended with some peculiar advantages. The merchandise is transported by means of horses raised here, which are fed on the herbage found in abundance on the route.—The persons engaged in this trade, without trespassing very largely on the domains of red men, subsist themselves in the country they traverse. When they reach their market, no duties are exacted by the government of the country.

Should you require any further particulars, it will afford me pleasure to furnish them.

I am, very respectfully, your obedient servant,

ALPHONSO WETMORE

The Hon. John Scott, Member of Congress.

Laws of the United States.

AN ACT to authorize the issuing of letters patent to Adolphus G. Trott.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be, and he is hereby, authorized and required to issue letters patent, in the usual form, to Adolphus G. Trott, for his invention of a new and useful dye, for the colouring of cloths, upon his complying with all the provisions of the several acts of Congress, relative to the issuing of letters patent for inventions and improvements, except so far as the said acts require, on the part of aliens, a residence of two years.

Washington, Feb. 5th, 1825.—Approved:

JAMES MONROE.

AN ACT confirming certain claims to lands in the western District of Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the claims to land embraced in the Report made by the Commissioners appointed for adjusting the titles and claims to land in the Western District of Louisiana, upon the thirtieth day of December, eighteen hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed: Provided, that no person or persons shall be entitled, by any one claim, to a greater quantity than one league square, under this act.

Approved, Feb. 5th, 1825.

JAMES MONROE.